IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.8188 OF 2005.

Mr.Popatlal B. Shah : Petitioner

versus

Charity Commissioner
Maharashtra State, Mumbai. : Respondent.

Mrs.Gauri Jadhav for the petitioner.

Mr.Vinay Sonpal, AGP, for the respondent.

CORAM : B.H.MARLAPALLE &
NARESH H. PATIL, JJ.

DATED : September 05, 2006.

P.C.

1. Heard the learned counsel for the petitioner, who claims to be one of the Managing Trustees of the Trust by name Shri Bhanbai Nenshi Mahila Vidyalaya and an application under Section 36-1(A) of the Bombay Public Trusts Act, 1950 has been filed by the petitioner before the Charity Commissioner vide Application No.64 of 2005.

2. This petition has been placed before us

for a limited relief i.e for direction to the Charity Commissioner to hear and decide the said application expeditiously. More so the trust is eager to dispose of the plot of land belonging to it, admeasuring about 2971 sq.mtrs, situated at Gulmohar Road, Juhu Vile Parle Development Scheme, Vile Parle (W), Mumbai.

3. This petition is disposed by directing the learned Charity Commissioner to hear and decide the said application on its own merits as expeditiously as possible and preferably by 31st March 2007.

4. This order of disposal and giving direction to the Charity Commissioner be not read as an order to consider the application in favour of M/s.Aakanksha Construction for a lump sum price of Rs.61 crores and it is for the learned Charity Commissioner to take appropriate steps as per law.

[NARESH H. PATIL, J] **[B.H.MARLAPALLE, J.]**